

REMARKS

Amendments to the Claims

Claims 7-14; 19-30; and 33-52 have been cancelled without prejudice to their presentation in a continuing application. Applicants do not abandon the inventions of the cancelled claims.

Claims 1, 15, 31, 32, and 54 - 59 have been amended.

Claim 1, 15 and 54 have been amended to delete variable "A" and to correct an error in formula I. Claims 56 and 58 have been amended to correct the typographical error.

Claims 15, 31, 32, and 55, 57 and 59 have been amended to recite particular TNF α -mediated conditions. Support for this amendment is found throughout the specification and in particular in Examples 18 and 19 and Claim 20 as originally filed.

No new matter has been introduced by this amendment.

Regarding Restriction Requirement

Applicants confirm their election of the claims of group II in response to the restriction requirement. Applicants amended Claims 1, 5 and 54 to correct an error in the structure of formula I.

Invention of group II, claimed in Claims 1-6, 15-18, 31, 32 and 53-59, is directed to the compounds of formula I wherein *one of W and Z* is N and the other is CH. The value of variable V is not restricted. The structure of formula I and the language of Claims 1, 5 and 54 had been amended accordingly.

Claim Rejection Under 35 U.S.C. §112

1. Rejection of Claims 1 - 5, 15 - 32 and 54 - 59

Claims 1 - 5, 15 - 32 and 54 - 59 are rejected under 35 U.S.C. §112, second paragraph as indefinite. The Examiner objected to the use of label "A" in Claims 1, 15 and 54 and to the recitation of "salts" (in plural) in Claims 56 and 58.

Applicants amended Claims 1, 15 and 54 to delete variable "A". This amendment does not narrow or otherwise change the scope of the amended claim since variable "A" was undefined. Applicants also amended Claims 56 and 58 to correct the typographical error. Claims 56 and 58 now recite "a pharmaceutically acceptable salt" (singular).

Applicants believe that these amendments obviate the rejections of Claims 1 - 5, 15 - 32 and 54 - under 35 U.S.C. §112, second paragraph, as indefinite. Reconsideration and withdrawal of the rejection are respectfully requested.

2. Rejection of Claims 15 - 32, 55, 57 and 59

Claims 15 - 32, 55, 57 and 59 are rejected under 35 U.S.C. §112, first paragraph, as not enabled. The Examiner stated that the disclosure, while being enabling for such diseases as rheumatoid arthritis, sepsis, irritable bowel syndrome and multiple sclerosis, does not reasonably provide enablement for any and all TNF- α mediated disorders, including those not yet discovered as involving TNF- α signaling.

Applicants have amended Claims 15, 31, 32, 55, 57 and 59 have been amended to incorporate the recitation of rheumatoid arthritis, sepsis, irritable bowel syndrome and multiple sclerosis. Claims 19 - 30 have been cancelled without prejudice to their presentation in a continuing application. Applicants do not abandon the inventions of the cancelled claims.

Applicants believe that these amendments obviate the rejections of Claims 15, 31, 32, 55, 57 and 59 under 35 U.S.C. §112, first paragraph, as not enabled. Reconsideration and withdrawal of the rejection are respectfully requested.

CONCLUSION

In view of the above remarks, it is believed that the subject matter of Groups I, II, and IV can be searched without restriction, and it is respectfully requested that the application be examined on the merits. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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